

## Calendar No. 590

106TH CONGRESS  
2D SESSION**S. 2682**

To authorize the Broadcasting Board of Governors to make available to the Institute for Media Development certain materials of the Voice of America.

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IN THE SENATE OF THE UNITED STATES

JUNE 7, 2000

Mr. BIDEN (for himself and Mrs. BOXER) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

JUNE 12, 2000

Reported by Mr. HELMS, without amendment

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**A BILL**

To authorize the Broadcasting Board of Governors to make available to the Institute for Media Development certain materials of the Voice of America.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. AVAILABILITY OF CERTAIN MATERIALS OF THE**

4                       **VOICE OF AMERICA.**

5               (a) AUTHORITY.—

1           (1) IN GENERAL.—Subject to the provisions of  
2       this Act, the Broadcasting Board of Governors (in  
3       this Act referred to as the “Board”) is authorized  
4       to make available to the Institute for Media Devel-  
5       opment (in this Act referred to as the “Institute”),  
6       at the request of the Institute, previously broadcast  
7       audio and video materials produced by the Africa  
8       Division of the Voice of America.

9           (2) DEPOSIT OF MATERIALS.—Upon the re-  
10      quest of the Institute and the approval of the Board,  
11      materials made available under paragraph (1) may  
12      be deposited with the University of California, Los  
13      Angeles, or such other appropriate institution of  
14      higher education (as defined in section 101(a) of the  
15      Higher Education Act of 1965 (20 U.S.C. 1001(a))  
16      that is approved by the Board for such purpose.

17          (3) SUPERSEDES EXISTING LAW.—Materials  
18      made available under paragraph (1) may be provided  
19      notwithstanding section 501 of the United States In-  
20      formation and Educational Exchange Act of 1948  
21      (22 U.S.C. 1461) and section 208 of the Foreign  
22      Relations Authorization Act, Fiscal Years 1986 and  
23      1987 (22 U.S.C. 1461–1a).

24          (b) LIMITATIONS.—

1           (1) AUTHORIZED PURPOSES.—Materials made  
2           available under this Act shall be used only for aca-  
3           demic and research purposes and may not be used  
4           for public or commercial broadcast purposes.

5           (2) PRIOR AGREEMENT REQUIRED.—Before  
6           making available materials under subsection (a)(1),  
7           the Board shall enter into an agreement with the In-  
8           stitute providing for—

9                   (A) reimbursement of the Board for any  
10                  expenses involved in making such materials  
11                  available;

12                  (B) the establishment of guidelines by the  
13                  Institute for the archiving and use of the mate-  
14                  rials to ensure that copyrighted works con-  
15                  tained in those materials will not be used in a  
16                  manner that would violate the copyright laws of  
17                  the United States (including international copy-  
18                  right conventions to which the United States is  
19                  a party);

20                  (C) the indemnification of the United  
21                  States by the Institute in the event that any  
22                  use of the materials results in violation of the  
23                  copyright laws of the United States (including  
24                  international copyright conventions to which the  
25                  United States is a party);

1           (D) the authority of the Board to termi-  
2           nate the agreement if the provisions of para-  
3           graph (1) are violated; and

4           (E) any other terms and conditions relat-  
5           ing to the materials that the Board considers  
6           appropriate.

7           (c) CREDITING OF REIMBURSEMENTS TO BOARD AP-  
8           PROPRIATIONS ACCOUNT.—Any reimbursement of the  
9           Board under subsection (b) shall be deposited as an offset-  
10          ting collection to the currently applicable appropriation ac-  
11          count of the Board.

12   **SEC. 2. TERMINATION OF AUTHORITY.**

13          The authority provided under this Act shall cease to  
14          have effect on the date that is 5 years after the date of  
15          enactment of this Act.



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